

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

CIBC BANK USA f/k/a THE  
PRIVATEBANK AND TRUST  
COMPANY, as Agent for Lenders,

Plaintiff,

v.

JOSEPH SCHWARTZ and ROSIE  
SCHWARTZ,

Defendants.

Case No. 1:18-cv-02129

Judge Sara Lee Ellis

**ORDER**

Upon consideration of (1) Plaintiff's Motion for Default Judgment Against Defendants (Dkt. 21) and (2) Plaintiff's Second Motion for Default Judgment Against Defendant (Dkt. 25), which is based on Plaintiff's Second Amended Complaint filed on June 1, 2018, **IT IS HEREBY ORDERED** that Plaintiff's motions are **GRANTED**.

After Plaintiff's continued efforts to serve Defendants and Defendants' continued refusal to accept service, this Court granted Plaintiff's Motion for Leave to Serve Defendants By Alternate Means Pursuant to Federal Rule of Civil Procedure 4(e) on May 2, 2018 (Dkt. 13). Accordingly, Plaintiff served Defendants by (1) posting the Complaint and Summons at Defendants' primary residence by a process server authorized under New York law to serve process, (2) mailing the Complaint and Summons to Defendants' primary address, and (3) emailing the Complaint and Summons to Defendants in accordance with the Illinois Code of Civil Procedure, Rule 203.1 (Dkt. 14, 24). Despite these efforts, Defendants have yet to appear in this case. This Court therefore grants

Plaintiff's motions.

IT IS ORDERED that the Clerk enter a default against Defendants Joseph Schwartz and Rosie Schwartz pursuant to Rule 55(a) and (2) enter a default judgment against Defendants Joseph Schwartz and Rosie Schwartz jointly and severally based on Counts I and II and pursuant to Rule 55(b)(2) in the amount of \$1,896,674.11 plus CIBC's costs, including expenses of service of process.

IT IS FURTHER ORDERED that the Clerk enter a default against Defendants Joseph Schwartz and Rosie Schwartz pursuant to Rule 55(a) and (2) enter a default judgment under Count III of the Second Amended Complaint against Defendants Joseph Schwartz and Rosie Schwartz jointly and severally pursuant to Rule 55(b)(2) in the amount of \$22,800,000.00 for principal, and \$740,471.89 for Default Rate interest, for a total judgment of \$23,540,471.89.

Dated: 7/17/18



Honorable Judge Sara L. Ellis

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

CIBC BANK USA f/k/a THE  
PRIVATEBANK AND TRUST  
COMPANY, as Agent for Lenders,

Plaintiff,

v.

JOSEPH SCHWARTZ and ROSIE  
SCHWARTZ,

Defendants.

Case No. 1:18-cv-02129

Judge Sara Lee Ellis

**PLAINTIFF'S BILL OF COSTS**

Plaintiff CIBC Bank USA, an Illinois banking corporation formerly known as The PrivateBank and Trust Company ("CIBC"), as Administrative Agent for two groups of lenders, each comprised of CIBC and Banker's Trust Company, an Iowa banking corporation (the "Lenders"), through its attorneys and pursuant to 28 U.S.C. § 1920, Fed. R. Civ. P. 54(d)(1), and L.R. 54.1(a), hereby submits its Bill of Costs in the amount of \$5,027.91 in connection with its Motion for Default Judgment Against Defendants (Dkt. 21) filed on June 25, 2018 as well as its Second Motion for Default Judgment Against Defendants (Dkt. 25) filed on July 11, 2018. The basis for the total amount sought is detailed in the attached Bill of Costs Form (AO 133) (Exhibit A) and the supporting Declaration of Lead Counsel Jerome Buch (Exhibit B), which are submitted with this pleading.

## I. COSTS SOUGHT

Fed. R. Civ. P. 54(d)(1) states that “[u]nless a federal statute, these rules, or a court order provides otherwise, costs—other than attorney’s fees—should be allowed to the prevailing party.” Plaintiff is the prevailing party on all claims herein as its motions for default judgment were granted on July 17, 2018. (Dkt. 27, the “Default Judgment Order”).

The costs to be awarded to CIBC include: (1) fees of the Clerk and (2) fees for service of the summons and complaint. *See* 28 U.S.C. § 1920 (identifying the costs that may be taxed). These costs totaling \$5,027.91 are detailed in the attached Bill of Costs (Exhibit A) and are further described below.

### A. Fees of the Clerk

Subsection (1) of 28 U.S.C. § 1920 specifically allows recovery of costs incurred for “fees of the clerk and marshal.” CIBC was required to pay a \$400.00 fee to the Clerk when it filed its Complaint. Exhibit C contains the docket entry with receipt number showing the filing fee.

### B. Fees for Service of Summons and Complaint

CIBC was also required to pay \$4,627.91 for costs associated with the service of the summons and complaint. As a result of Defendants’ continued refusal to accept service on numerous occasions, this Court granted CIBC’s Motion for Leave to Serve Defendants by Alternate Means Pursuant to Federal Rule of Civil Procedure 4(E) (Dkt. 13, the “Alternative Service Order”). On May 16, 2018, CIBC served Defendants in accordance with the Order and pursuant to the Illinois Code of Civil Procedure, Rule 203.1 by (1) posting the Complaint and Summons at Defendants’ primary residence by a process server authorized under new York law to serve process, (2) mailing the Complaint and Summons

Case: 1:18-cv-02129 Document #: 30 Filed: 07/19/18 Page 3 of 4 PageID #:470

to Defendants' primary address, and (3) emailing the Complaint and Summons to Defendants. (Dkt. 14, the "First Affidavits of Service").

On May 22, 2018, CIBC filed its Motion for Leave to File Second Amended Complaint (Dkt. 15, "Motion for Leave to File Second Amended Complaint"), which added a third count for breach of contract against Joseph Schwartz and Rosie Schwartz for principal and non-default rate interest on the Owner Loan. (Dkt. 20, "Second Amended Complaint"). This Court granted CIBC's motion on May 29, 2018, and again granted CIBC leave to serve Defendants through alternative means and in the same manner as CIBC had served Defendants with the First Amended Complaint. (Dkt. 19, "Order Granting Motion for Leave to File Second Amended Complaint").

On June 4, 2018, CIBC served Defendants with the Second Amended Complaint by again (1) posting the Complaint and Summons at Defendants' primary residence by a process server authorized under new York law to serve process, (2) mailing the Complaint and Summons to Defendants' primary address, and (3) emailing the Complaint and Summons to Defendants. (Dkt. 21, the "Second Affidavits of Service").

Due to Defendants' refusal to accept service, CIBC incurred \$4,627.91 in costs concerning its efforts to serve Defendants.

## **II. CONCLUSION**

The above expenses sought by CIBC are correct, were necessarily incurred in the case, and the services for which fees were charged were reasonable, as well as actually and necessarily performed. Accordingly, CIBC respectfully requests that the Court award \$400.00 in fees of the Clerk and \$4,627.91 for fees for service of the summons and complaint. Thus, these costs total \$5,027.91, as detailed on Form AO 133 (Exhibit A).

Case: 1:18-cv-02129 Document #: 30 Filed: 07/19/18 Page 4 of 4 PageID #:471

WHEREFORE, CIBC respectfully requests that the Court tax costs in its favor and against Defendants in the amount of \$5,027.91.

DATED this 19th day of July, 2018.

**CIBC BANK USA f/k/a THE  
PRIVATEBANK AND TRUST  
COMPANY, as Agent as aforesaid**

By /s/ Jerome F. Buch

SEYFARTH SHAW LLP  
Jerome F. Buch  
Kevin J. Mahoney  
Miranda E. Wargo  
233 S. Wacker Drive, Ste. 8000  
Chicago, Illinois 60606-6448  
Telephone: (312) 460-5000  
Facsimile: (312) 460-5000  
jbuch@seyfarth.com  
kmahoney@seyfarth.com  
mwargo@seyfarth.com

*Attorneys for Plaintiff*

# **EXHIBIT A**

Case: 1:18-cv-02129 Document #: 30-1 Filed: 07/19/18 Page 2 of 19 PageID #:473

AO 133 (Rev. 12/09) Bill of Costs

## UNITED STATES DISTRICT COURT

for the

Northern District of Illinois

CIBC BANK USA f/k/a THE PRIVATEBANK )  
 AND TRUST COMPANY, as Agent for Lenders, )  
 v. ) Case No.: 1:18-cv-02129  
 JOSEPH SCHWARTZ and ROSIE SCHWARTZ, )  
 )

## BILL OF COSTS

Judgment having been entered in the above entitled action on \_\_\_\_\_ against Joseph and Rosie Schwartz,  
 Date  
 the Clerk is requested to tax the following as costs:

Fees of the Clerk .....	\$ 400.00
Fees for service of summons and subpoena .....	4,627.91
Fees for printed or electronically recorded transcripts necessarily obtained for use in the case .....	
Fees and disbursements for printing .....	0.00
Fees for witnesses (itemize on page two) .....	
Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case .....	
Docket fees under 28 U.S.C. 1923 .....	
Costs as shown on Mandate of Court of Appeals .....	
Compensation of court-appointed experts .....	
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828 .....	
Other costs (please itemize) .....	
	TOTAL \$ 5,027.91

**SPECIAL NOTE:** Attach to your bill an itemization and documentation for requested costs in all categories.

## Declaration

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:

Electronic service

First class mail, postage prepaid

Other: \_\_\_\_\_

s/ Attorney: Jerome F. BuchName of Attorney: Jerome F. Buch

For: \_\_\_\_\_

CIBC BANK USA

Name of Claiming Party

Date: \_\_\_\_\_

## Taxation of Costs

Costs are taxed in the amount of \_\_\_\_\_

and included in the judgment.

By: \_\_\_\_\_

Deputy Clerk

Clerk of Court

Date

Case: 1:18-cv-02129 Document #: 30-1 Filed: 07/19/18 Page 3 of 19 PageID #:474

AO 133 (Rev. 12/09) Bill of Costs

UNITED STATES DISTRICT COURT

**Witness Fees (computation, cf. 28 U.S.C. 1821 for statutory fees)**

## NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

"Sec. 1924. Verification of bill of costs."

Sec. 1924. Verification of bill of costs.  
"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

See also Section 1920 of Title 28, which reads in part as follows:

"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

The Federal Rules of Civil Procedure contain the following provisions:

**RULE 54(d)(1)**

**Costs Other than Attorneys' Fees.**

Unless a federal statute, these rules, or a court order provides otherwise, costs — other than attorney's fees — should be allowed to the prevailing party. But costs against the United States, its officers, and its agencies may be imposed only to the extent allowed by law. The clerk may tax costs on 14 day's notice. On motion served within the next 7 days, the court may review the clerk's action.

## **RULE 6**

(d) Additional Time After Certain Kinds of Service.

When a party may or must act within a specified time after service and service is made under Rule 5(b)(2)(C), (D), (E), or (F), 3 days are added after the period would otherwise expire under Rule 6(a).

**RULE 59(e)**

#### Cost-of-Eco Awards:

Cost or Fee Awards: Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney's fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become <sup>subject to</sup> ~~subject to~~ in order that the motion have the same effect under Federal Rule of Appellate Procedure 4(u)(4) as a timely motion under Rule 59.

## **EXHIBIT B**

Case: 1:18-cv-02129 Document #: 30-1 Filed: 07/19/18 Page 5 of 19 PageID #:476

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

CIBC BANK USA f/k/a THE  
PRIVATEBANK AND TRUST  
COMPANY, as Agent for Lenders,

Plaintiff,

v.

JOSEPH SCHWARTZ and ROSIE  
SCHWARTZ,

Defendants.

Case No. 1:18-cv-02129

Judge Sara Lee Ellis

AFFIDAVIT OF JEROME F. BUCH

I, Jerome F. Buch, being duly sworn under oath, state as follows:

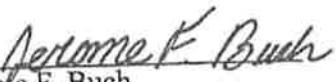
1. I am over the age of 18, of sound mind and body, and fully competent to testify about the matters stated in this Affidavit.
2. I am an attorney licensed to practice law in the State of Illinois, and my bar identification number is 6182673. I am also a member of the Trial Bar of this Court.
3. I am a Partner in the Chicago office of the law firm Seyfarth Shaw LLP, located at 233 South Wacker Drive, Suite 8000, Chicago, Illinois 60606-6448, and I am lead counsel for Plaintiff CIBC Bank USA ("CIBC") in the above captioned action.
4. I caused to be prepared and have reviewed Plaintiff's Bill of Costs, which is filed contemporaneously with this affidavit and has been filed with the Court on July 19, 2018.
5. I have personal knowledge of the facts discussed in the Bill of Costs. The costs contained and summarized are correct, were reasonably and necessarily incurred in

Case: 1:18-cv-02129 Document #: 30-1 Filed: 07/19/18 Page 6 of 19 PageID #:477

the case, and the services for which fees were charged were actually and necessarily performed.

6. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated this 19th of July, 2018.

  
\_\_\_\_\_  
Jerome F. Buch

# EXHIBIT C

FINNEGAN,MIDP

United States District Court  
Northern District of Illinois - CM/ECF LIVE, Ver 6.2.2 (Chicago)  
CIVIL DOCKET FOR CASE #: 1:18-cv-02129

CIBC Bank USA v. Joseph Schwartz et al  
Assigned to: Honorable Sara L. Ellis  
Demand: \$9,999,000  
Cause: 28:1332 Diversity-Breach of Contract

Date Filed: 03/23/2018  
Jury Demand: None  
Nature of Suit: 190 Contract: Other  
Jurisdiction: Diversity

Plaintiff

**CIBC Bank USA**  
*formerly known as*  
The Privatebank and Trust Company, as  
Agent for Lenders

represented by **Jerome F. Buch**  
Seyfarth Shaw LLP  
233 South Wacker Drive  
Suite 8000  
Chicago, IL 60606  
(312) 460-5000  
Email: [jbuch@seyfarth.com](mailto:jbuch@seyfarth.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Kevin J. Mahoney**  
Seyfarth Shaw LLP  
233 South Wacker Drive  
Suite 8000  
Chicago, IL 60606  
(312) 460-5737  
Email: [kmahoney@seyfarth.com](mailto:kmahoney@seyfarth.com)  
**ATTORNEY TO BE NOTICED**

**Miranda Wargo**  
Seyfarth Shaw Llp  
233 South Wacker Drive  
Suite 8000  
Chicago, IL 60606-6448  
(312) 460-5443  
Email: [mwargo@seyfarth.com](mailto:mwargo@seyfarth.com)  
**ATTORNEY TO BE NOTICED**

V.

Defendant

**Joseph Schwartz**

Defendant

Rosie Schwartz

Date Filed	#	Docket Text
03/23/2018	<u>1</u>	COMPLAINT filed by CIBC Bank USA; Filing fee \$ 400, receipt number 0752-14272310. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G)(Buch, Jerome) (Entered: 03/23/2018)
03/23/2018	<u>2</u>	CIVIL Cover Sheet (Buch, Jerome) (Entered: 03/23/2018)
03/23/2018		CASE ASSIGNED to the Honorable Sara L. Ellis. Designated as Magistrate Judge the Honorable Sheila Finnegan. (meg, ) (Entered: 03/23/2018)
03/23/2018	<u>3</u>	AMENDED complaint by CIBC Bank USA against Joseph Schwartz, Rosie Schwartz (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G)(Buch, Jerome) (Entered: 03/23/2018)
03/23/2018		SUMMONS Issued as to Defendants Joseph Schwartz, Rosie Schwartz. (kms) (Entered: 03/23/2018)
03/26/2018	<u>4</u>	NOTICE TO THE PARTIES - The Court is participating in the Mandatory Initial Discovery Pilot (MIDP). The key features and deadlines are set forth in this Notice which includes a link to the (MIDP) Standing Order and a Checklist for use by the parties. In cases subject to the pilot, all parties must respond to the mandatory initial discovery requests set forth in the Standing Order before initiating any further discovery in this case. Please note: The discovery obligations in the Standing Order supersede the disclosures required by Rule 26 (a)(1). Any party seeking affirmative relief must serve a copy of the following documents (Notice of Mandatory Initial Discovery and the Standing Order) on each new party when the Complaint, Counterclaim, Crossclaim, or Third-Party Complaint is served. (jk, ) (Entered: 03/26/2018)
03/26/2018	<u>5</u>	MINUTE entry before the Honorable Sara L. Ellis: initial status conference in this matter is set for 5/23/2018 at 9:30 AM. The parties are directed to review the procedures and requirements for this conference on Judge Ellis' web site and to submit the required Initial Status Report by 5/16/2018. Mailed notice (rj, ) (Entered: 03/26/2018)
03/27/2018	<u>6</u>	ATTORNEY Appearance for Plaintiff CIBC Bank USA by Jerome F. Buch (Buch, Jerome) (Entered: 03/27/2018)
03/27/2018	<u>7</u>	ATTORNEY Appearance for Plaintiff CIBC Bank USA by Kevin J. Mahoney (Mahoney, Kevin) (Entered: 03/27/2018)
03/27/2018	<u>8</u>	ATTORNEY Appearance for Plaintiff CIBC Bank USA by Miranda Wargo (Wargo, Miranda) (Entered: 03/27/2018)
04/19/2018	<u>9</u>	NOTICE by CIBC Bank USA /Notice of Filing of Affidavits of Attempted Service (Attachments: # <u>1</u> Exhibit A-I)(Buch, Jerome) (Entered: 04/19/2018)
04/25/2018	<u>10</u>	

Case: 1:18-cv-02129 Document #: 30-1 Filed: 07/19/18 Page 10 of 19 PageID #:481  
 CM/ECF LIVE, Ver 6.2.2 - U.S. District Court, Northern Illinois

Page 3 of 4

		MOTION by Plaintiff CIBC Bank USA Plaintiff's Motion for Leave to Serve Defendants by Alternate Means Pursuant to Federal Rule of Civil Procedure 4 (E) (Attachments: # <u>1</u> Exhibit 1-6)(Buch, Jerome) (Entered: 04/25/2018)
04/25/2018	<u>11</u>	NOTICE of Motion by Jerome F. Buch for presentment of motion for miscellaneous relief <u>10</u> before Honorable Sara L. Ellis on 5/2/2018 at 09:45 AM. (Buch, Jerome) (Entered: 04/25/2018)
05/02/2018	<u>12</u>	MINUTE entry before the Honorable Sara L. Ellis: Motion for leave to serve Defendants by alternate means pursuant to Federal Rule of Civil Procedure 4(e) <u>10</u> is granted. Plaintiff may serve Defendants in accordance with Illinois Code of Civil Procedure Rule 203.1. Plaintiff should be prepared to report on the status of service at the status hearing set for 5/23/18 at 9:30 AM. Mailed notice (rj, ) (Entered: 05/02/2018)
05/02/2018	<u>13</u>	ORDER. Signed by the Honorable Sara L. Ellis on 5/2/2018. Mailed notice(rj, ) (Entered: 05/02/2018)
05/22/2018	<u>14</u>	NOTICE by CIBC Bank USA /Notice of Filing of Affidavits of Service (Buch, Jerome) (Entered: 05/22/2018)
05/22/2018	<u>15</u>	MOTION by Plaintiff CIBC Bank USA for leave to file <i>Second Amended Complaint</i> (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit to Exhibit 1)(Buch, Jerome) (Entered: 05/22/2018)
05/22/2018	<u>16</u>	NOTICE of Motion by Jerome F. Buch for presentment of motion for leave to file <u>15</u> before Honorable Sara L. Ellis on 5/29/2018 at 09:45 AM. (Buch, Jerome) (Entered: 05/22/2018)
05/23/2018	<u>17</u>	MINUTE entry before the Honorable Sara L. Ellis: At the Court's instance, Status hearing set for 5/23/2018 is stricken and reset for 5/29/2018 at 9:45 AM. Mailed notice (rj, ) (Entered: 05/23/2018)
05/29/2018	<u>18</u>	MINUTE entry before the Honorable Sara L. Ellis: Status hearing held on 5/29/2018. Plaintiff appears for status hearing and reports that service is complete but will serve second amended complaint. Plaintiff's motion for leave to file second amended complaint <u>15</u> is granted. Status hearing set for 6/26/2018 at 9:30 AM. Mailed notice (rj, ) (Entered: 05/29/2018)
05/30/2018		ALIAS Summons Issued as to Defendants Joseph Schwartz, Rosie Schwartz. (jn, ) (Entered: 05/30/2018)
05/31/2018	<u>19</u>	MINUTE entry before the Honorable Sara L. Ellis: In addition to the Court's previous Order issued on 5/29/18 <u>18</u> , Plaintiff is granted leave to serve Defendants by alternate means pursuant to FRCP 4(e). Plaintiff shall serve Defendants with the Second Amended Complaint by (1) posting the Complaint and Summons at Defendants' primary residence by a process server authorized under New York law to serve process, (2) mailing the Complaint and Summons to Defendants' primary address, and (3) emailing the Complaint and Summons to Defendants in accordance with the Illinois Code of Civil Procedure, Rule 203.1. Mailed notice (ep, ) (Entered: 05/31/2018)
06/01/2018	<u>20</u>	

Case: 1:18-cv-02129 Document #: 30-1 Filed: 07/19/18 Page 11 of 19 PageID #:482  
 CM/ECF LIVE, Ver 6.2.2 - U.S. District Court, Northern Illinois Page 4 of 4

		<i>Second AMENDED complaint by CIBC Bank USA against Joseph Schwartz, Rosie Schwartz (Attachments: # <u>1</u> Exhibit A through I)(Buch, Jerome) (Entered: 06/01/2018)</i>
06/25/2018	<u>21</u>	MOTION by Plaintiff CIBC Bank USA for default judgment as to <i>Plaintiff's Motion for Default Judgment Against Defendants</i> (Buch, Jerome) (Entered: 06/25/2018)
06/25/2018	<u>22</u>	NOTICE of Motion by Jerome F. Buch for presentment of motion for default judgment <u>21</u> before Honorable Sara L. Ellis on 7/17/2018 at 09:45 AM. (Buch, Jerome) (Entered: 06/25/2018)
06/26/2018	<u>23</u>	MINUTE entry before the Honorable Sara L. Ellis: Status hearing held on 6/26/2018. Plaintiff reports that service of second amended complaint is complete and as of today's date there has been no response by the Defendants. Status hearing set for 7/17/2018 at 9:30 AM for motion for default judgment. Mailed notice (rj, ) (Entered: 06/26/2018)
07/10/2018	<u>24</u>	NOTICE by CIBC Bank USA <i>Notice of Filing of Affidavits of Service</i> (Attachments: # <u>1</u> Exhibit A-D)(Buch, Jerome) (Entered: 07/10/2018)
07/11/2018	<u>25</u>	MOTION by Plaintiff CIBC Bank USA for default judgment as to <i>Plaintiff's Second Motion for Default Judgment Against Defendants</i> (Buch, Jerome) (Entered: 07/11/2018)
07/11/2018	<u>26</u>	NOTICE of Motion by Jerome F. Buch for presentment of motion for default judgment <u>25</u> before Honorable Sara L. Ellis on 7/17/2018 at 09:45 AM. (Buch, Jerome) (Entered: 07/11/2018)

Case: 1:18-cv-02129 Document #: 30-1 Filed: 07/19/18 Page 12 of 19 PageID #:483

## EXHIBIT D

Case: 1:18-cv-02129 Document #: 30-1 Filed: 07/19/18 Page 13 of 19 PageID #:484



# Demovsky Lawyer Service

Invoice

Invoice Number:

373047

P.O. Box 2083  
 New York, NY 10013  
 Ph. 212-925-1220 Fax 212-941-0235  
 www.dlsnational.com  
 NYC/DCA LIC. # 1416526

Invoice Date:  
 May 25, 2018

Page:  
 1

*OK TO PAY \$ 712.40  
 CUST 057005-272  
 J. Almeida*

To: DENNIS FARRELL  
 Seyfarth Shaw LLP  
 620 Eighth Avenue  
 New York, NY 10018-1405  
 USA

Account Number	Worksheet Number	Payment Terms		
		Net 30 Days		
		Request Date	Due Date	
		5/15/18	6/24/18	
Quantity	Item	Unit Price	Extension	
1.00	SOB	123.00	123.00	
1.00	ADS	69.00	69.00	
1.00	RSH	75.00	75.00	
1.00	CP	26.90	26.90	
1.00	PU	15.00	15.00	
1.00	GAS	3.50	3.50	

Check No:

Subtotal

312.40

Sales Tax

Total Invoice Amount

312.40

Payment Received

0.00

TOTAL

312.40



Pay online!  
[www.dlsnational.com](http://www.dlsnational.com)

"DLS, INC." TAX ID NO. 13-3179699

**KINDLY NOTE: 1.33% Interest per month (16% annually) will accrue on invoices not paid within our terms of 30-days.**

**Please make checks payable to: DLS, Inc. and return to the P.O. Box listed above.**

Irving Botwinick, Founder  
 New York State Professional Process Servers  
 Association

Founding Member National Association  
 of Professional Process Servers

Associate Member of the following  
 State Process Servers Association:  
 Arizona, California, Colorado, Florida, Georgia,  
 New Jersey, Oregon, Tennessee, Washington



Society of Professional Investigators  
 Chairman of the Board

Associated Licensed Detectives of  
 New York State, Inc.  
 National Council of Investigation  
 and Security Services  
 Society of Professional Investigators  
 World Investigators Network Inc.

*"Serving the Legal Community Since 1977."*

April 18, 2018

ATTN: DENNIS FARRELL

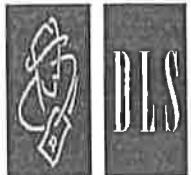
SEYFARTH SHAW LLP  
 620 EIGHTH AVENUE  
 NEW YORK, NEW YORK 10018

INVOICE # YL-0793

<u>PLAINTIFF</u>	<u>DEFENDANT</u>	<u>SERVICE</u>	<u>CHARGE</u>
Cibc Bank USA f/k/a The Privatebank and Trust Company, as Agent for Lenders	Joseph Schwartz and Rosie Schwartz	Sum. & Compl. Avoided Attempted Service On Joseph Schwartz & Rosie Schwartz 9 HOURS	\$ 2,025.00
		-40% Discount	\$ 810.00
		BALANCE:	\$1,215.00

OK to PAY \$ 1215.00  
 Client # 057005-272  
 DGA/ma

Case: 1:18-cv-02129 Document #: 30-1 Filed: 07/19/18 Page 15 of 19 PageID #:486



# Demovsky Lawyer Service

Invoice

Invoice Number:

371682

Invoice Date:

Mar 31, 2018

Page:

1

401 Broadway, Suite 510

New York, NY 10013

Ph. 212-925-1220 Fax 212-941-0235

www.dlsnational.com

NYC/DCA LIC. # 1416526

OK to PAY \$ 270.50  
 Client 057005-272  
 J. Farrell

To: DENNIS FARRELL  
 Seyfarth Shaw LLP  
 620 Eighth Avenue  
 New York, NY 10018-1405  
 USA

Account Number	Worksheet Number	Payment Terms		
		Net 30 Days		
		Request Date	Due Date	
2451	242174	3/29/18	4/30/18	
Quantity	Item	Unit Price	Extension	
1.00 RSH	CIBC BANK USA F/K/A THE PRIVATEBANK AND TRUST COMPANY, AS AGENT FOR LENDERS, VS. JOSEPH SCHWARTZ AND ROSIE SCHWARTZ, 1:18-CV-02129 RUSH	75.00	75.00	
1.00 AOB	Attempted Process Service - Other Boroughs 1) JOSEPH SCHWARTZ Preparation Of Non-routine Or Extra Affidavit(s) 2) ROSIE SCHWARTZ	123.00	123.00	
1.00 AFF		69.00	69.00	
1.00 GAS	Fuel Surcharge	3.50	3.50	

Check No:

Subtotal 270.50

Sales Tax

Total Invoice Amount 270.50

0.00

Payment Received

TOTAL

270.50



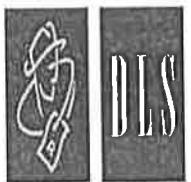
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Case: 1:18-cv-02129 Document #: 30-1 Filed: 07/19/18 Page 16 of 19 PageID #:487



# Demovsky Lawyer Service

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NYC/DCA LIC. # 1416526

Invoice

Invoice Number:

371681

Invoice Date:

Mar 31, 2018

Page:

1

Ukt PA \$270.56  
Ch# 051005-272  
J. A. [Signature]

To: DENNIS FARRELL  
Seyfarth Shaw LLP  
620 Eighth Avenue  
New York, NY 10018-1405  
USA

Account Number	Worksheet Number	Payment Terms		
Net 30 Days			Request Date	Due Date
Quantity	Item	Unit Price	Extension	
1.00	RSH	75.00	75.00	75.00
1.00	AOB	123.00		123.00
1.00	AFF	69.00		69.00
1.00	GAS	3.50		3.50

Check No:

Subtotal 270.50

Sales Tax



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Total Invoice Amount 270.50  
Payment Received 0.00

TOTAL 270.50

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Case: 1:18-cv-02129 Document #: 30-1 Filed: 07/19/18 Page 17 of 19 PageID #:488


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NYC/DCA LIC. # 1416526

**Invoice**Invoice Number:  
371680Invoice Date:  
Mar 31, 2018Page:  
1

OK to pay by 8/20/18 \$ 892.09  
 Client # 051005-272  
 D. H. [Signature]

To: DENNIS FARRELL  
 Seyfarth Shaw LLP  
 620 Eighth Avenue  
 New York, NY 10018-1405  
 USA

Account Number	Worksheet Number	Payment Terms		
			Net 30 Days	
Quantity	Item		Unit Price	Extension
1.00	RSH	CIBC BANK USA F/K/A THE PRIVATEBANK AND TRUST COMPANY , AS AGENT FOR LENDERS, VS. JOSEPH SCHWARTZ AND ROSIE SCHWARTZ, 1:18-CV-02129 RUSH	125.00	125.00
1.00	ASR	Attempted Process Service Outside Nyc Metro-same Area 1) JOSEPH SCHWARTZ, 21 BRIARWOOD LANE, SUFFERN, NY	123.00	123.00
1.00	AFF	Preparation Of Non-routine Or Extra Affidavit(s) 2) ROSIE SCHWARTZ	69.00	69.00
3.50	RES	STAKEOUT	150.00	525.00
1.00	GAS	Fuel Surcharge	3.50	3.50

Check No:

Subtotal 845.50

Sales Tax 46.59

Total Invoice Amount 892.09

Payment Received 0.00

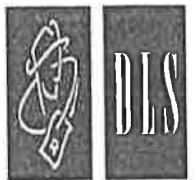
**TOTAL** 892.09
 Pay online!  
[www.dlsnational.com](http://www.dlsnational.com)

KINDLY NOTE: 1.33% interest per month (16% annually) will accrue on invoices not paid within our terms of 30-days.

 Please make checks payable to:  
 DLS, Inc.

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Case: 1:18-cv-02129 Document #: 30-1 Filed: 07/19/18 Page 18 of 19 PageID #:489


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**Invoice**Invoice Number:  
371683Invoice Date:  
Mar 31, 2018Page:  
1

OK TO PAY \$ 1148.16  
 Inv # 051005-272

*D. Farrell*

To: DENNIS FARRELL  
 Seyfarth Shaw LLP  
 620 Eighth Avenue  
 New York, NY 10018-1405  
 USA

Account Number	Worksheet Number	Payment Terms		
		Net 30 Days		
		Request Date	Due Date	
		3/29/18	4/30/18	
Quantity	Item		Unit Price	Extension
1.00 AOB	CIBC BANK USA F/K/A THE PRIVATEBANK AND TRUST COMPANY, AS AGENT FOR LENDERS, VS. JOSEPH SCHWARTZ AND ROSE SCHWARTZ 1:18-CV-02129 Attempted Process Service - Other Boroughs 1) JOSEPH SCHWARTZ, 1859 54TH STREET, BROOKLYN, NY Preparation Of Non-routine Or Extra Affidavit(s) 2) ROSIE SCHWARTZ	123.00	123.00	
1.00 AFF		69.00	69.00	
1.00 GAS	Fuel Surcharge	3.50	3.50	
3.00 RES	3 HRS AT STAKEOUT	250.00	750.00	
1.00 RES	1 HR AT STAKEOUT	125.00	125.00	

Check No:

Subtotal	1,070.50
Sales Tax	77.66
Total Invoice Amount	1,148.16
Payment Received	0.00
<b>TOTAL</b>	<b>1,148.16</b>



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 month (16% annually) will accrue on  
 invoices not paid within our terms of  
 30-days.**

Please make checks payable to:  
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"DLS, INC." TAX ID NO. 13-3178699

Case: 1:18-cv-02129 Document #: 30-1 Filed: 07/19/18 Page 19 of 19 PageID #:490



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## Invoice

Invoice Number:

373777

Invoice Date:

Jun 25, 2018

Page:

To: DENNIS FARRELL  
Seyfarth Shaw LLP  
620 Eighth Avenue  
New York, NY 10018-1405  
USA

NYC/DCA LIC. # 1416526  
OK to Pay \$ 519.26  
Client 051005-272  
  
Worksheet Number

Account Number		Worksheet Number	Payment Terms	
2451		244049	Net 30 Days	
			Request Date	Due Date
			6/4/18	7/25/18
Quantity	Item		Unit Price	Extension
1.00	RSH	CIBC BANK USA, ET AL., JOSEPH SCHWARTZ AND ROSIE SCHWARTZ, 1:18-CV-02129 RUSH	VS. 75.00	75.00
1.00	SOB	Process Service - Borough Outside Manhattan 1) JOSEPH SCHWARTZ, 1859 57TH STREET, BROOKLYN, NY	123.00	123.00
1.00	ADS	Additional Service 2) ROSIE SCHWARTZ	69.00	69.00
760.00	CPY	Copies	0.25	190.00
	CP	Postage	13.45	26.90
	PU	Delivery	15.00	15.00
	GAS	Fuel Surcharge	3.50	3.50

Check No:

VISIT  DISCOVER

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P.O. Box listed above.

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